

## REMARKS

The claims are 1 to 10.

The above amendment is responsive to points set forth in the Official Action.

Claims 1 to 9 have been rejected under 35 U.S.C. 102(b) as being anticipated by WO 01/40329. Okazaki et al. (U.S. 6,767,987) has been cited as the equivalent of the WO reference.

This rejection is respectfully traversed.

The present claims recite an acrylic pressure-sensitive adhesive composition comprising a solution or a miscible blend consisting essentially of at least three components.

- a. from 50 to 99% by weight of at least one hydrophobic C<sub>1-22</sub>alkyl (meth)acrylate copolymer,
- b. at least one substantially water insoluble polyol oligomer having at least two terminal hydroxy groups having a specific number average molecular weight and selected from the group consisting of polyester polyols, acrylic polyols, polycarbonate polyols and polyether polyols,
- c. at least one cross-linking agent selected from the group consisting of a transition metal complex and aluminum acetyl acetonate.

New claim 10 recites that the cross-linking agent c. is aluminum acetyl acetonate.

Okazaki et al. discloses a variety of compositions including a lactone and a transition metal catalyst such as one containing tin or titanium as a ring opening catalyst. If a lactone is not present, it is not taught to include a transition metal catalyst for ring opening.

It should be noted that the presently recited "consisting essentially of" format excludes the presence of lactones and hence Okazaki et al. do not teach a transition metal catalyst in a composition as presently claimed.

It is further not apparent where Okazaki et al. discloses or suggests a composition as presently claimed including a polyester polyol, acrylic polyol, polycarbonate polyol or polyether polyol oligomer having the specified number average molecular weight and at least two terminal hydroxy groups.

The compositions described in Okazaki et al. are water based and not primarily designed as adhesives, not to mention pressure sensitive adhesives, in contrast to those presently claimed

but are used for a wide variety of other coating uses. As such, these compositions are not optimized to enhance their adhesive properties nor would they be suitable to solve the problems identified in the present application.

The transition metal catalysts described in Okazaki et al. are used to facilitate ring opening of a caprolactone (see column 23, lines 63 to 65) and not to cross-link the resulting polymer, in contrast to the present claims.

Although non-hydroxy functional (meth)acrylates may be optionally used to prepare the compositions of Okazaki et al. (see column 26, lines 22 to 30), these are listed as one of many different types of optional additional ingredients and, there is no suggestion that these could be used without a lactone component.

A person wishing to obtain a pressure sensitive adhesive with high tack, high shear resistance and good adhesion to both high and low surface energy substrates would be deterred from reading Okazaki et al. Alternatively a reader of Okazaki et al. would have no motivation to modify the compositions described therein to arrive at the compositions of the present invention.

For the foregoing reasons, it is apparent that the rejection on Okazaki et al. is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number.

Respectfully submitted,

Xinya LU

By: Matthew M. Jacob  
Matthew M. Jacob  
Registration No. 25,154  
Attorney for Applicant

MJ/aas  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
July 8, 2008